



County of Los Angeles CHIEF EXECUTIVE OFFICE

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SACHI A. HAMAI
Interim Chief Executive Officer

August 6, 2015

To: Mayor Michael D. Antonovich
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

From: Sachi A. Hamai 
Interim Chief Executive Officer

Board of Supervisors
HILDA L. SOLIS
First District

MARK RIDLEY-THOMAS
Second District

SHEILA KUEHL
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

WASHINGTON, D.C. UPDATE ON LEGISLATION WHICH WOULD ENABLE THE CONSTRUCTION OF SUPPORTIVE HOUSING AT THE VETERANS AFFAIRS WEST LOS ANGELES CAMPUS

This memorandum is to inform the Board that, on August 6, 2015, Senators Dianne Feinstein and Barbara Boxer and Representative Ted Lieu sent the attached letter to the chairs and ranking members of the Senate and House Veterans Affairs Committees, urging their support for legislation to allow the Department of Veterans Affairs (VA) to work with local governments and non-profits to provide additional housing and services for homeless and disadvantaged veterans at its West Los Angeles campus.

The legislation, which Senators Feinstein and Boxer are pursuing, importantly would authorize the VA to enter into enhanced-use leases to construct supportive housing at its West Los Angeles campus. Last month, the Board sent a 5-signature letter to the County's Congressional delegation requesting their support for the enactment of such legislation. Besides authorizing the VA to use enhanced-use leases for housing, the legislation also would authorize the VA to use leases to provide other services, such as health, wellness, education, and job training, which benefit veterans and their families at its West Los Angeles campus. In addition, the bill language would prohibit the VA from selling or disposing campus property for private development and private gain, which is consistent with policies in the County's Federal Legislative Agenda to oppose private commercial development and the transfer of land to private entities at the VA's West Los Angeles campus.

"To Enrich Lives Through Effective And Caring Service"

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Senators Feinstein and Boxer and Representative Lieu sent the letter to the chairs and ranking members of the Veterans Affairs Committees of both houses because the legislative vehicle for amendment language on the VA's West Los Angeles campus would be a Federal Fiscal Year 2016 VA authorization bill or another committee bill affecting the VA. In addition, support from the authorizing committees for the VA would be required in order for the language to be included in an appropriations bill.

We will continue to keep you advised.

SAH:JJ:MR
MT:ma

Attachment

c: All Department Heads
Legislative Strategist

Congress of the United States
Washington, DC 20510

August 6, 2015

The Honorable Johnny Isakson
Chairman
Senate Veterans' Affairs Committee
Washington, DC 20510

The Honorable Richard Blumenthal
Ranking Member
Senate Veterans' Affairs Committee
Washington, DC 20510

The Honorable Jeff Miller
Chairman
House Veterans' Affairs Committee
Washington, DC 20515

The Honorable Corrine Brown
Ranking Member
House Veterans' Affairs Committee
Washington, DC 20515

Dear Chairmen and Ranking Members,

As the committee prepares legislation to authorize Fiscal Year (FY) 2016 Department of Veterans Affairs programs and projects, we ask that the committee include the attached legislative authority to allow the department to work with local governments and non-profits to provide additional housing and services for homeless and disadvantaged veterans at the West Los Angeles Campus.

The department recently reached a historic agreement to end the lawsuit brought against it by the American Civil Liberties Union of Southern California, and is in the process of creating a new Master Plan to ensure the campus fully serves the needs of all veterans in Southern California. To support these efforts, and to prevent future mismanagement, our attached legislation does the following:

First, it gives the department authority to enter into enhanced use leases for the West Los Angeles Campus for the sole purpose of providing supportive housing. This authority is coupled with a much-needed prohibition against selling, or in any other way disposing of, property for private development and private gain, which was contemplated in the past. We also included this prohibition in the *Consolidated Appropriations Act of 2008*, to protect portions of the campus from being sold to private entities.

There is a critical need for long-term supportive housing on the West Los Angeles Campus, and enhanced use leases would allow the department to work with community and state organizations toward the goal of ending veteran homelessness in Los Angeles. As you may be aware, Los Angeles is home to the largest population of homeless veterans in the country, which is simply unacceptable.

Second, our legislative text provides leasing authority for the West Los Angeles Campus in order to bring in community partners, such as the University of California – Los Angeles, to provide services that benefit veterans and help make the campus a veteran-

centric community setting. We support giving the department this authority, but believe it should be restricted to providing critical benefits for veterans, including homeless, disabled, aging and women veterans.

We remain deeply concerned about the department's historic track record, particularly at this campus, and have coupled these leasing authorities with the following strong oversight and accountability mechanisms:

- All leases must be consistent with the new Master Plan under development, with community input, that will detail how the campus will be used to benefit all veterans;
- Office of Inspector General (OIG) audit reports on lease and land-use management of the West Los Angeles Campus will be required to be issued two years following enactment of this legislative text, five years following enactment, and then as necessary;
- The department will be prohibited from entering into new leases during any periods where it is found by the OIG to be out of compliance with federal policy or law pertaining to leases and land-use on the campus, until the department certifies it has corrected any non-compliance or mismanagement. This authority will also apply to renewing specific leases found to be out of compliance with federal law or policy; and
- The department will be required to notify the Senate and House Veterans' Affairs Committees and the Congressional Delegation for the campus 45 days before entering into or renewing any lease, and submit an annual report evaluating all leases and land-sharing agreements on the campus.

We look forward to working with you to provide the department the authority, coupled with Congressional oversight, needed to improve how the West Los Angeles Campus serves veterans.

Sincerely,


Dianne Feinstein
United States Senator


Barbara Boxer
United States Senator


Ted W. Lieu
United States Representative

DF/tc/ll

114TH CONGRESS
1ST SESSION

S. _____

To authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Los Angeles Homeless
5 Veterans Leasing Act of 2015”.

1 **SEC. 2. AUTHORITY TO ENTER INTO CERTAIN LEASES AT**
2 **THE DEPARTMENT OF VETERANS AFFAIRS**
3 **WEST LOS ANGELES CAMPUS.**

4 (a) **IN GENERAL.**—The Secretary of Veterans Affairs
5 may carry out leases described in subsection (b) at the
6 Department of Veterans Affairs West Los Angeles Cam-
7 pus in Los Angeles, California.

8 (b) **LEASES DESCRIBED.**—Leases described in this
9 subsection are the following:

10 (1) An enhanced-use lease of real property
11 under subchapter V of chapter 81 of title 38, United
12 States Code, for purposes of providing supportive
13 housing, as that term is defined in section 8161(3)
14 of such title.

15 (2) A lease of real property for a term not to
16 exceed 50 years to a third party to provide services
17 that principally benefit veterans and their families
18 and that are limited to one or more of the following
19 purposes:

20 (A) The promotion of health and wellness,
21 including nutrition and spiritual wellness.

22 (B) Education.

23 (C) Vocational training, skills building, or
24 other training related to employment.

25 (D) Peer activities, socialization, or phys-
26 ical recreation.

1 (E) Assistance with legal issues and Fed-
2 eral benefits.

3 (F) Volunteerism.

4 (G) Family support services, including
5 child care.

6 (H) Transportation.

7 (I) Services in support of one or more of
8 the purposes specified in subparagraphs (A)
9 through (H).

10 (3) A lease of real property for a term not to
11 exceed 10 years to an institution of the State of
12 California that has had a medical affiliation with the
13 Department at the campus specified in subsection
14 (a) for more than 20 years, if—

15 (A) the lease is consistent with the master
16 plan described in subsection (e);

17 (B) the provision of services to veterans is
18 the predominant focus of the activities of the
19 institution at the campus during the term of
20 the lease; and

21 (C) the institution expressly agrees to pro-
22 vide, during the term of the lease and to an ex-
23 tent and in a manner that the Secretary con-
24 siders appropriate, services and support that—

1 (i) principally benefit veterans and
2 their families, including veterans that are
3 severely disabled, women, aging, or home-
4 less; and

5 (ii) may consist of activities relating
6 to the medical, clinical, therapeutic, die-
7 tary, rehabilitative, legal, mental, spiritual,
8 physical, recreational, research, and coun-
9 seling needs of veterans and their families
10 or any of the purposes specified in any of
11 subparagraphs (A) through (I) of para-
12 graph (2).

13 (c) LIMITATION ON LAND-SHARING AGREEMENTS.—
14 The Secretary may not carry out any land-sharing agree-
15 ment pursuant to section 8153 of title 38, United States
16 Code, at the campus specified in subsection (a) unless
17 such agreement—

18 (1) provides additional health-care resources to
19 the campus; and

20 (2) benefits veterans and their families other
21 than from the generation of revenue for the Depart-
22 ment of Veterans Affairs.

23 (d) PROHIBITION ON SALE OF PROPERTY.—Notwith-
24 standing section 8164 of title 38, United States Code, the
25 Secretary may not sell or otherwise convey to a third party

1 fee simple title to any real property or improvements to
2 real property made at the campus specified in subsection
3 (a).

4 (e) **CONSISTENCY WITH MASTER PLAN.**—The Sec-
5 retary shall ensure that each lease carried out under this
6 section is consistent with the new master plan under devel-
7 opment as of the date of the enactment of this Act that
8 will detail how the campus specified in subsection (a) will
9 be used to benefit all veterans.

10 (f) **COMPLIANCE WITH CERTAIN LAWS.**—

11 (1) **LAWS RELATING TO LEASES AND LAND**
12 **USE.**—If the Inspector General of the Department of
13 Veterans Affairs determines, as part of an audit re-
14 port or evaluation conducted by the Inspector Gen-
15 eral, that the Department is not in compliance with
16 all Federal laws relating to leases and land use at
17 the campus specified in subsection (a), or that sig-
18 nificant mismanagement has occurred with respect
19 to leases or land use at the campus, the Secretary
20 may not enter into any lease or land-sharing agree-
21 ment at the campus, or renew any such lease or
22 land-sharing agreement that is not in compliance
23 with such laws, until the Secretary certifies to the
24 Committee on Veterans' Affairs of the Senate, the
25 Committee on Veterans' Affairs of the House of

1 Representatives, and each Member of the Senate
2 and the House of Representatives who represents
3 the area in which the campus is located that all rec-
4 ommendations included in the audit report or eval-
5 uation have been implemented.

6 (2) COMPLIANCE OF PARTICULAR LEASES.—No
7 lease may be entered into or renewed under this sec-
8 tion unless the lease complies with chapter 33 of
9 title 41, United States Code, and all Federal laws
10 relating to environmental and historic preservation.

11 (g) NOTIFICATION AND REPORTS.—

12 (1) CONGRESSIONAL NOTIFICATION.—With re-
13 spect to each lease or land-sharing agreement in-
14 tended to be entered into or renewed at the campus
15 specified in subsection (a), the Secretary shall notify
16 the Committee on Veterans' Affairs of the Senate,
17 the Committee on Veterans' Affairs of the House of
18 Representatives, and each Member of the Senate
19 and the House of Representatives who represents
20 the area in which the campus is located of the intent
21 of the Secretary to enter into or renew the lease or
22 land-sharing agreement not later than 45 days be-
23 fore entering into or renewing the lease or land-shar-
24 ing agreement.

1 (2) ANNUAL REPORT.—Not later than one year
2 after the date of the enactment of this Act, and not
3 less frequently than annually thereafter, the Sec-
4 retary shall submit to the Committee on Veterans'
5 Affairs of the Senate, the Committee on Veterans'
6 Affairs of the House of Representatives, and each
7 Member of the Senate and the House of Representa-
8 tives who represents the area in which the campus
9 specified in subsection (a) is located an annual re-
10 port evaluating all leases and land-sharing agree-
11 ments carried out at the campus.

12 (3) INSPECTOR GENERAL REPORT.—

13 (A) IN GENERAL.—Not later than each of
14 two years and five years after the date of the
15 enactment of this Act, and as determined nec-
16 essary by the Inspector General of the Depart-
17 ment of Veterans Affairs thereafter, the Inspec-
18 tor General shall submit to the Committee on
19 Veterans' Affairs of the Senate, the Committee
20 on Veterans' Affairs of the House of Represent-
21 atives, and each Member of the Senate and the
22 House of Representatives who represents the
23 area in which the campus specified in sub-
24 section (a) is located a report on all leases car-
25 ried out at the campus and the management by

1 the Department of the use of land at the cam-
2 pus, including an assessment of the efforts of
3 the Department to implement the master plan
4 described in subsection (e) with respect to the
5 campus.

6 (B) CONSIDERATION OF ANNUAL RE-
7 PORT.—In preparing each report required by
8 subparagraph (A), the Inspector General shall
9 take into account the most recent report sub-
10 mitted to Congress by the Secretary under
11 paragraph (2).

12 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed as a limitation on the authority
14 of the Secretary to enter into other agreements regarding
15 the campus specified in subsection (a) that are authorized
16 by law and not inconsistent with this section.

17 (i) PRINCIPALLY BENEFIT VETERANS AND THEIR
18 FAMILIES DEFINED.—In this section the term “prin-
19 cipally benefit veterans and their families”, with respect
20 to services provided by a person under a lease of property,
21 land-sharing agreement, or revocable license agreement—

22 (1) means services—

23 (A) provided exclusively to veterans and
24 their families; or

1 (B) that are designed for the particular
2 needs of veterans and their families, as opposed
3 to the general public, and any benefit of those
4 services to the general public is ancillary to the
5 intended benefit to veterans and their families;
6 and

7 (2) excludes services in which the only benefit
8 to veterans and their families is the generation of
9 revenue for the Department of Veterans Affairs.

10 (j) CONFORMING AMENDMENTS.—

11 (1) PROHIBITION ON DISPOSAL OF PROP-
12 ERTY.—Section 224(a) of the Military Construction
13 and Veterans Affairs and Related Agencies Appro-
14 priations Act, 2008 (Public Law 110–161; 121 Stat.
15 2272) is amended by striking “The Secretary of
16 Veterans Affairs” and inserting “Except as author-
17 ized under section 2 of the Los Angeles Homeless
18 Veterans Leasing Act of 2015, the Secretary of Vet-
19 erans Affairs”.

20 (2) ENHANCED-USE LEASES.—Section 8162(c)
21 of title 38, United States Code, is amended by in-
22 serting “, other than an enhanced-use lease under
23 section 2 of the Los Angeles Homeless Veterans
24 Leasing Act of 2015,” before “shall be considered”.